

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE: SWEENEY, Alan John

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Case No. 09-39530
Chapter 13

DEBTOR'S MOTION TO COLLECT UNCLAIMED FUNDS

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

There will be a hearing on this motion on _____, at _____
a.m./p.m. in courtroom _____, 515 Rusk, Houston, Texas 77002.

COMES NOW Debtor, with this his motion to collect unclaimed funds and would respectfully
show the Court as follows:

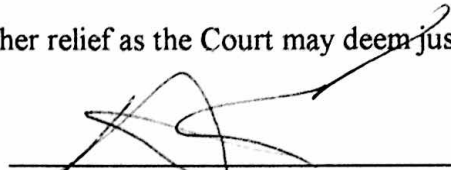
1. The underlying chapter 13 case was filed seeking relief on December 16, 2009.
2. All payments under the confirmed plan have been made.
3. On or about May 15, 2014, the Trustee filed his motion to deposit unclaimed funds

into the registry of the Court. This motion was granted through a series of orders commencing with
docket number 45.

4. No creditor has made a claim against such funds and the Trustee has not sought compensation from such funds on deposit with the registry.

5. Debtor therefore seeks an order authorizing payment of all unclaimed funds directly to the Debtor.

WHEREFORE, PREMISES CONSIDERED, Debtor respectfully requests that the Court enter an order directing the Clerk of the Court to pay all unclaimed funds directly to the Debtor. Debtor requests such other and further relief as the Court may deem just or equitable.




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Fed. I.D. 16271

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the Debtors Motion Modify Wage Withholding Order, above, been forwarded via PACER/ECF on this September 23, 2014, and:

Chapter 13 Trustee

David G. Peake



Andrew J. Bolton